


NATIONAL
LIBRARY
OF SCOTLAND





Digitized by the Internet Archive
in 2011 with funding from
National Library of Scotland

<http://www.archive.org/details/essayonorigineof1793hayr>

AN
ESSAY
ON THE
ORIGINE
OF THE
ROYAL FAMILY
OF THE
STEWARTS:

IN ANSWER TO
Dr *KENNEDY*'s Chronological, Genealogical,
and Historical Differtation of the Royal
Family of the *STEWARTS*.

WITH AN
APPENDIX,
Containing several ancient curious Charters.

BY RICHARD HAY OF DRUMBOOTE.

EDINBURGH:

Printed by

WILLIAM ADAMS IN CARRUBBER'S CLOSE,

1722.

Reprinted by

STEWART, RUTHVEN, & CO.

1793.

THE UNIVERSITY OF CHICAGO

LIBRARY OF THE UNIVERSITY OF CHICAGO

1891

THE UNIVERSITY OF CHICAGO

THE UNIVERSITY OF CHICAGO

THE UNIVERSITY OF CHICAGO

THE UNIVERSITY OF CHICAGO

THE UNIVERSITY OF CHICAGO

THE UNIVERSITY OF CHICAGO

THE UNIVERSITY OF CHICAGO

THE UNIVERSITY OF CHICAGO

TO
THE RIGHT HONOURABLE

J O H N,

*EARL OF STAIR, VISCOUNT DALRYMPLE, LORD
NEWLISTON, GLENLUCE AND STRANRAWER;*

One of His Majesty's most Honour-
able Privy Council; One of the
Lords of His Majesty's Bed-cham-
ber; Lieutenant General; Colonel
of a Regiment of Dragoons; and
Knight of the most Noble and
Ancient Order of the Thistle.

MY LORD,

YOUR LORDSHIP having al-
ways distinguished Yourself by
a more than ordinary Know-
ledge of every Thing that's curious,
and having, for many Years, with uni-
versal

()

verfal Applaufe, borne the Character of His Britannick Majesty's Ambaffador, I could not fhun addreffing to You this ESSAY, in Vindication of the ROYAL FAMILY of the STEWARTS: Befides, I am under fingular Obligations to Your Lordfhip's Friends and Family; and, therefore, eagerly embrace every Opportunity of Testifying, in the moft folemn and publick Manner, my fincere Gratitude and humble Refpects for them; and that I am, in a peculiar Manner,

MY LORD,

YOUR LORDSHIP'S

MOST HUMBLY DEVOTED SERVANT,

RICHARD HAY, C. R.

Lib. Phil. Soc. Acad. Edin.

A N
E S S A Y
ON THE
ORIGINE of the ROYAL FAMILY
OF THE
STUARTS, &c.



DOCTOR KENNEDY, in his Differtation, derives the Origine of the August Family of the *STUARTS* from *Milesius* and his Descendants, the ancient Kings of *Ireland*.

'Tis very obvious to every considering person, tolerably well acquainted with *British* Antiquities, that this Scheme of the Doctor's is very ill founded, and that many Arguments may be adduced for disproving what he, without any good Ground, alledges.

The *First* Argument, which naturally offers itself to me, is taken from the 8th Page of his own *Preface*: In which he divides *Scotland* into two Parts, the one on the North, the other on

the South-side of *Severus's* (which he ought to have called *Hadrian's*) *Wall*, between the Firths of *Dumbartoun* and *Edinburgh*, for protecting the Inhabitants on the South-side, from the Incursions of the *Scots*. On the North-side he places the *Picts* and *Scots* ; on the South the *Saxons*, that became Masters of the Southern parts, after the Decay of the *Roman* Empire. In consequence of this Position he must necessarily own, That the *STUARTS*, who for many Ages have swayed the Sceptre of *Scotland*, are not originally *Irish*, since their principal Residence was in the Shire of *Renfrew*, which was formerly a Part of the Kingdom of *Northumberland*, subject to the *Saxons* ; and consequently, on the South-side, not on the North-side of the *Wall* : As any body may understand that can but look on a Map.

A *Second* Argument may be drawn from the Adventures of *Fleannus*, which the Dr. relates, in the 192. and 204 Pages of his Book, his sudden Flight to *Wales*, after the tragical and barbarous Death of his Father, which he supposes to have fallen out, under the Usurpation.

tion of *Macbeth*, inclines me to think, that he was not of an *Irish* Extract. For if his Predecessors had been *Irish*, in this lamentable State he was reduced to, his Thoughts would certainly have been bent on *Ireland*, as the fittest place in the World for his retreat. The Nearness of the country, the easy Access he had to it in a few Hours, the relation he had to the Kings of *Ireland*, his speaking the same language, and many other Reasons, should have induced him for his own Safety to make this Choice. One may infer then from his retiring into *Wales*, in travelling to which he could not but foresee, that he would be exposed to vast Dangers, and behoved to pass thro' a great Deal of the Country subject to *M'beth*, and take Sanctuary in a place where a Language different from that of the *Scots* was spoken. Besides all this, it was into a Country, where, according to Dr. *Kennedy's* Scheme, *Fleannus* was unknown, had no Relation to those who governed the State, and had no Reason to expect any Support or assistance from them. From all which it is reasonable to conclude,

that the *STEWARTS* were not of an *Irish* Extract.

A *Third* Argument I adduce, is from the Conduct of our Kings, that were forced from their Dominions during the irregular Successions of *Donald Bane*, and *Duncan*. They betook themselves to *England*, as a safe and sure Sanctuary, that they might be protected from the Insults of their Enemies; and when they returned to *Scotland*, they enacted the same laws and Customs they had seen observed in *England*, judging this Course necessary for the publick Tranquillity of the Kingdom: And to give the greater Lustre and Authority to the Court, in Imitation of *England* they created several Ministers of State, viz. a Chancellor, Constable, Chamberlain, a Marechal, Steward, Butler, Lord Chief Justice, &c. All these great Offices were entrusted with *English* and *Normans*, of a distinguishing Merit and Reputation, that had followed our Kings in their Wars, or had entertained them in their Exile, in a manner becoming their Birth and Dignity.

The

The *Irish*, who in the first Years of *Malcolm's* Reign disturbed the publick Peace, and filled *Scotland* with Blood and Confusion, were excluded from all public Posts. And *Malcolm* IV. who erected the Office of *Seneschal*, or *Steward*, reckoned the *Irish* his mortal Enemies. So that the singular Opinion of our Author concerning the Origine of the *STEWARTS* is altogether unaccountable.

An additional Argument against the Opinion of Dr. *Kennedy*, may be taken from the Names of *Alan* and *Walter*, that were proper and peculiar to our first Senechals or Stewarts, under the Successors of *Malcolm* the III. Those Names were unknown to the *Scots*, and even to the *Irish*, before the Conquest of their Country, by *Henry* the II. King of *England*, which may appear from our Charters in the 11th and 12th Century; and the Accounts we have of the Ecclesiastical Councils in *Ireland*; in neither of which we find the Names of *Alan* or *Walter*, but a deal of strange and barbarous Words, harsh to be pronounced, and even hardly to be put
in

in Writing, such as *Arreah-Foevrach*, *Duach-Teamrach*, *Cobthach-Coelbreage*, *Oillill-Casfbie-clach*, *Fedlum-Lave-Dhoidh-cuige*, &c. On the other Hand, the names of *Alan* and *Walter* have been common in *England*, ever since the Time of *William* the Conquerer; and in *Scotland*, amongst the Inhabitants of the low Country, since our Kings join'd to their Crown *Northumberland*, *Westmorland*, *Cumberland*, *Huntington* and *Northampton*. It is then abundantly evident, that the *STEWARTS* are not descended from the Race of the Kings of *Ireland*, otherwise they would have continued these odd Names that are found in Dr *Kennedy's* Book, in some Charters of King *David* * and *Henry* his Son,

* Charta Davidis Regis facta Ecclesiæ omnium Sanctorum de May.

David Rex Scotiæ, Sciant tam posteri quam præsentis me—Dedisse et concessisse Deo et Ecclesiæ omnium sanctorum de May, dimidium Ballagallan sicut Gillecollin, Macthumpethin et M'beth, Mactorfia et Malmure Thein de Chellin, - - - prædictam terram periverunt.

Charta Davidis Regis facta Turstino Eborum Archiepiscopo. Testibus de Scotia Wimaro milite, Aldano filio Alfemeldi, Ulkil filio Maldredi, Gillecollin Stuppepach.

Charta Davidis Regis facta Monasterio de Dryburgh, testibus Alwino filio Aikel Even, Marechallo, Gillecorme Macthumpethin, Macbeth Mactorfia, Mevin filio Corbani.

Son, Earl of *Huntington*: and in the Council of *Kells* mention'd by *Waræus* in the Year 1152.

The *Fifth* Argument I take from the Chartular of the Abbay of *Paislay*, in my own Custody. *Walter* the first *STEWART*, as we are told in the first Page of that Chartular, founds a splendid Monastery at *Paislay*, in the Year 1164, for thirteen Monks of the Order of *Cluny* brought from *Wenlock* in *England*, *pro anima Regis David, et Regis Henrici, et Comitis Henrici*. *David* King of *Scotland* died in the Year 1153, *Henry* King of *England* died in 1135, and *Henry* Earl of *Huntington* died 1152.

Walter the Grand-child of the first *STEWART*, endows the Nuns of *Syxe* in *Lincolnshire* with a considerable Sum, *Redditum trium Marcarum argenti, annuatim ad duos anni terminos, in perpetuum solvendum*, Page 68, of the said Chartular.

Walter, the Grand-child of the first *Stuart*, founds afterwards a Priory at *Dalmulin*, on
the

the River of *Air*, for the Canons and Nuns of the Order of *Simpringham*, whom he brought from *York*; as appears from Page 104.

'Tis to be regreted, That in former, and even our own Times, Vanity, or a spiritual kind of Pride, and particular Views to the Conve- niency or advantage of some near Relations, has often a greater Share in these Foundations than true Piety, or a zealous Concern for the Good of Religion. And tho' we should not put Things on this Footing, yet 'tis not to be imagined, that *Walter* the First *Stuart* would have forgot the Kings of *Munster*, whom Dr. *Kennedy* calls his Ancestors, if he had really been descended of them. Would he have, in an extraordinary way, ordered Prayers for *Henry* King of *England*, who was a stranger to him, and not for his Ancestors the Kings of *Ireland*, who died in the Communion of the Church? Would he have provided the Priory with a Colony of *English* Monks, who, according to the Doctor, could not speak the Language of *Scotland*, nor be understood by the King or his Subjects? Would he, I say, made choice

of them, rather as his own Countrymen the *Irish*, with whom he might converse without an Interpreter ?

And is it to be imagined, That his Grand-child would, in his Foundations, have been so profuse to the *English* Monks and Nuns, when in the Cloisters of *Ireland* he might have found great Numbers of all Sorts of Religious, worthy of his bounty, as fit for the same Purpose ?

This Preference then, which these Two *Stuarts* gave to the *English*, in Exclusion of the *Irish*, together with something like Affectation in *Walter* the First *Stuart*, to mention in his Charter *Henry* King of *England*, without noticing the Kings of *Ireland*, is to me a plain Proof, that our Kings had very little Kindness or Regard for those of *Ireland*: For Experience may teach us, that all Men, especially Persons of great Note, have a distinguishing Affection for their Country and Family ; and when they are descended of Crown'd Heads, or such as have made a considerable

G. Figure;

Figure, they take a particular Pleasure, even in these Acts of Piety, to proclaim this to the World as often as Occasion offers.

So, for Example, we see that *William* Baron of *Rossin*, in his Foundations, particularly mentions his Ancestors; thus, *Pro salute animarum recolendæ memoriæ Willielmi quondam Comitæ Orcadiæ & Cataniæ, ac Domini de Sancto Claro, Cancellarii & Justiciarii magni, olim, Scotiæ, Nobilis viri Alexandri Stuart, Commendatarii monasterii de Scoon, &c.*

Robert the III. follows the same Course, as appears by the Chartulary of *Paislay*, page 226. *Pro salute recolendæ Memoriæ Domini quondam Roberti, Dei gratia, Regis Scotorum illustris progenitoris nostri, animæque Elizabethæ Matris nostræ;* and so in the 214 Page,

* See the Appen- * *Animarum antecessorum et successorum nostrorum, Regum et Senescallorum Scotiæ.* In the Page 213, he mentions *James*, Seneschal of *Scotland*, who was one of the six Regents that was entrusted with the Government of the Kingdom, after the Death of
Alexander

Alexander the III. and styles him *Proavus noster*.
 In the same Chartular, * *Donald* Lord * See the Ap-
 of the *Isles*, calls himself *Filius Regi-* pend. Num. 2.
naldi filii Sumerled, domini de Inchgall; and *Wil-*
liam the Son of *Duncan*, who succeeded *Donald*
 King of *Scotland* is designed thus, *Willielmus*
filius Dunecani, nepos Regis Scotiæ. †

In fine, our King *David* I. makes us un-
 derstand, that he was the Son of *Malcolm* III.
 and Brother of our Kings, *Duncan*, *Edgar*, and
Alexander; and does not forget, in his Char-
 ters, to mention his Sister the Queen of *Eng-*
land, and his Father-in-Law, the Earl of *Hun-*
tington: *Pro anima Matildæ Reginae, Sororis*

B 2

meae

† Charta Gulielmi Nepotis, Regis Scotiæ Thurstino Eborum Ar-
 chiepiscopo, & Osberto Archidiacono - - -

Willielmus filius Dunecani, Nepos Regis Scotiæ salutem. No-
 tum sit vobi & omnibus sanctæ matris Ecclesiæ fidelibus quod ego
 et Ailtz de Rumeilli, Uxor mea dedimus. - - Deo et Ecclesiæ S.
 Mariæ, et S. Cuthberto de Embessia et Canonicis ibidem Deo servi-
 entibus, Ecclesiam omnium sanctorum de Broctoune cum omnibus
 pertinentiis suis, tam in terris quam in decimis in puram et liberam
 et perpetuam elemosynam, his testibus, &c.

meæ, & Matildis Reginae, Uxoris meæ & Simonis Comitis †.

Since then it was the constant Custom in *Scotland* to mention, in all Foundations, those of each Family who had made any considerable Figure in the World, there is no Manner of Ground to imagine, that our first *Stuarts* would

† Charta Foundationis Abbatix de *Schele chyrch*.

David Comes filius Malcolmi Regis Scotorum, omnibus amicis suis, Francis et Anglis et Scottis. - - - Salutem continuam, &c.

Charta Davidis Regis facta Coenob. de *Dumfermeling*.

In nomine S. Trinitatis, ego David, Dei gratia, Rex Scotorum, autoritate Regia ac potestate, Henrici Filii mei assensu, & Mathildis Reginae, uxoris meæ, — Ecclesiae S. Trinitatis de *Dumfermling*, — omnia subscripta concedo, & pace perpetua confirmo dona Regis *Duncat*, Fratris mei; dona Regis *Edgari*, Fratris mei; dona Comitis *Ethelredi*, Fratris mei; dona *Alexandri* Regis Fratris mei; dona *Sybillæ* Reginae, &c.

Charta Davidis Regis, de Ecclesia de *Totheham*, facta Canonicis Ecclesiae S. Trinitatis *London*.

David Rex Scotorum, Gilberto *London*. Episcopo, & omnibus fidelibus, Salutem. Sciatis me dedisse Ecclesiam de *Totheham* Canonicis Ecclesiae S. Trinitatis *London*. Perpetuo jure, in Elemosynam, pro salute animæ meæ, & animæ Mathildæ Reginae, Sororis meæ, & Matildis Reginae, Uxoris meæ, & Simonis Comitis, & omnium Antecessorum nostrorum; & ut Canonici bene faciant servire Ecclesiae. Testibus, Herberto Cancellario, &c.

would have neglected to name the Kings of *Ireland*, if they had been really descended of them. This Silence then which they continually observed on this Head, is a plain Proof, that they did not reckon themselves descended of the Kings of *Ireland*.

Further, we may perceive, by a letter directed to Pope *John XXII.* who succeeded *Clement V.* the 17 of *August* 1316. that the *Irish*, in the Reign of *Edward II.* (a weak Prince) being resolved to shake off the heavy and intolerable Yoke of the *English*, which they had for many Years groaned under; in a general Meeting of the States, declared *Edward Bruce*, Earl of *Carrick*, their King; and presently dispatched Couriers to *Scotland*, with pressing letters to send them speedy and powerful Assistance; while their Agents at *Avignon* were under-hand endeavouring to persuade the Holy Father, to approve and confirm the Choice they had made of him for their King. The Letter begins thus, *Sanctissimo in Christo Patri, Domino Joanni, Dei gratia, Summo Pontifici, sui devoti Filii, Dovenaldus O-Neyl, Rex Ultoniae,*

ac

ac totius Hiberniae hæreditario jure verus Haeres ; nec non & ejusdem terrae Reguli & Magnates, ac populus Hiberniacus. In the Body of the Epistle, *Donald O-Neyl* assures his Holiness, he was descended in a direct Line from *Leogarius* King of Ireland, in whose Days *St. Patrick* was sent by Pope *Celestin*, to instruct the *Irish* in the Way of Salvation by our blessed Saviour. *Aquo (Leogario) ego Dovenaldus prædictus, in linea recta carnalem traxi originem.* After which he complains, That Pope *Hadrian* (he should have said, Pope *Alexander III.*) had transferred the Crown of Ireland, in the Year 1170, to *Henry II.* without observing the Formalities usually practised in such Cases : Since which Time, he regrets, that the *Irish* have been most grievously oppressed by the *English*; which has occasioned their Rising in Arms from Time to Time, expecting always, by the Force of them, to be delivered from the dreadful Servitude they were under. In the Wars they had with the *English*, he adds, that above 5000 Men were killed, besides those who died by Famine or Fatigue. Afterwards he enters on a particular Detail of the incredible Cruelties
of

of the *English*; and represents to the Holy Father, in very moving Terms, That being fully resolv'd to be avenged for the Evils they had suffered from the *English*, they had unanimously chosen for their King, the Earl of *Carrick*, who had given great Proofs of his Valour and Conduct in the Wars with the *English*. *Et ut nostrum propositum celerius & congruentius obtinere valeamus in hac parte, Edwardum de Brois illustrem Comitem de Carrick, fratrem germanum Domini Roberti Dei gratia illustrissimi Regis Scotorum - - vocamus in auxilium nostrum & juvamen. Et cum liberum sit unicuique viro suo renunciare, & ipsum in alterum transferre, totum jus quod in dicto regno, ad nos tanquam ad ipsius veros haeredes pertinere dinoscitur, eidem dedimus & concessimus, per Litteras nostras Patentes, & ad faciendum inibi Judicium, Justitiam, & Aequitatem, quae, ex defectu Principis, ibidem penitus defecerunt, ipsum Regem, ac Dominum nostrum instituimus ac praefecimus in regno nostro, unanimiter, supradicto, &c.*

These Facts are known to all tolerably versed in our History, and those I have briefly related

related, will afford another Argument to confute the Doctor's Scheme, for if the *STEWARTS* had had any Right to the Crown of *Ireland*, by the indirect Ways, which the Doctor mentions in the 49 Page of his Book, it is not to be imagined, that *Donald O-Neyl* would ever so much as have attempted, in a General Meeting of the States of *Ireland*, to dispose of that Crown to the Prejudice of *Walter Stuart*, who was universally known to be one of the most enterprizing and bravest Men of the Age he lived in, he would not have given up his Right to the Earl of *Carrick*, who had no relation to him, but what was very remote and imaginary: Nor can it be thought that *Edward Bruce* would have accepted the Offer, or that *Robert* his Brother King of *Scotland*, would have allowed of such a Disposition, if *Walter Stuart*, upon whom he had lately bestowed his Daughter in Marriage, had by this Choice been deprived of his Right; since *Walter* was able to break all the Measures they could concert, for settling the Earl of *Carrick* on the Throne of *Ireland*, not only because he was one of the most powerful Lords
of

of that Country, and had his Residence near *Ireland*, but also because he was one of the best Generals in these times. The Choice then that the States of *Ireland* made unanimously of *Edward* Earl of *Carrick* for their King, preferably to the *STEWART*, the raising of Men to augment the *Irish* Army in those Parts belonging to the *STEWART*, viz. *Cow-cl*, *Renfrew*, *Kyle* and *Cunningham*, the equipping out a Squadron in the Harbours, belonging to *Walter Stuart*, in order to transport the Forces, the Ammunition and Provisions, the peaceable Landing of the Army, and unloading of the Ammunition and Provisions on the Coast of *Ireland*, without the least Disturbance from *Scotland*, are, in my opinion, so many Proofs, or rather Demonstrations, that our *STEWARTS* were no ways related to the Kings of *Ireland*, as the Doctor in his Book in vain attempts to prove.

The *Last* Argument I shall make use of now, is taken from the Differtation the Doctor has lately published; his chief Design should undoubtedly have been, to give an exact Ac-

count of the Genealogy of the Royal Family of the *STEWARTS*, deducing their Descent, from *Milefius* King of *Galicia* and *Biscay*, to the present Times. For accomplishing of which Design, he should, in the distinctest Manner, have shewn us, that there was a *Fleannus* and a *Banco*, from whom he derives our Kings, and that these two famous Adventurers were descended in a direct Line, from Father to Son, from *Maine-Leauna*, and he, from *Eogon-More*, descended from *Milefius*, naming particularly their Grandfathers, and Great-Grandfathers, and not to have left such Gapes in his Genealogy. Nevertheless, all his Discoveries amount only to tell us, in the 48, 143, and 204th Pages of his Book, that *Banco* was come in a right Line from *Maine-Leauna*, Son of *Cork*, King of *Munster*, as if the World were obliged to take his Word for it, without any further Proof. And Page 192, he adds, very dully, on the Margin, that *Cork*, King of *Munster*, derives his Pedigree from *Eogan-More*, eldest Son of *Olil-Ollum*, and of *Sabia* Daughter of King *Constantine*; notwithstanding he does not in the least notice this Point of History,

History, in the 100 Page of his Book, which was a proper Place for establishing, by solid Proofs, an Assertion lyable to so many Objections. Our Author then, not being able to shew us, with all the Help of his Manuscripts of *Tarab*, and other valuable Writings belonging to Religious Houses, that there was a *Banco* and a *Fleannus*; and all that the little Pretenders to Knowledge of History affirm, on the Credit of *Hector Boetius*, a modern, and not very exact Historian, serving only to convince any reasonable Man, that there were never any such two Persons in the world, and that they never had any other Existence but in writing, or Print. It follows then by a plain Consequence, that the *STEWARTS* did not come from *Ireland*, as this *Irish* Writer alledges.

Moreover, the Doctor not connecting the Descent of *Banco* from *Maine-Leauna*, *Eogan-More* and *Milefius*, as an able Genealogist would have done, 'tis plain, that his Work is not exact; for if *Keting*, *Flabarty*, and other pitiful *Irish* Scriblers, could have furnished him with a Number of imaginary Ancestors,

for filling up the empty Places between *Banco* and *Maine-Leanna*, and between him and *Milefius*; I would gladly know how he comes to conceal their Names: And if he has not really found them in these Books or Manuscripts, how comes he to impose on the World, by undertaking in the Title of his Book, and the *Preface* to it, Pages 3, 11, 13, to deduce the Genealogy of our Kings from *Milefius*? who, he says, lived about 3000 Years ago, down to the present Times; tho' in the Body of his Book, he goes no further back than *Walter*, who was undoubtedly Son of *Alan*, and not of *Fleannus*; seeing in all publick Records he is designed *Walterus filius Alani, Dapifer Regis Scotiæ* *. The Impossibility then of shewing that there was a *Banco* and *Fleannus*, Ancestors of our Kings; and that *Banco* was descended of *Maine-Leanna*, descended of *Eogan-More* and *Milefius*, may convince any Man, that our Royal Family of the *STEWARTS* are not of an *Irish* Extract. Leaving then our Author
to

* See the Appendix, Num. 3.

to search elsewhere for Proofs that may support better his Assertion; and recommending to him, not to please himself with fabulous Stories, or think to amuse or entertain foolishly the World with them, I present the Reader with a Quotation from *Giraldus Cambrensis*, mentioned by *Warræus*, in his Antiquities, P. 17, which may shew that Dr. *Kennedy* has not all the good Conduct in the World, nor that Respect which is due to the Royal Family of the *STEWARTS*, when he derives them from such a Race as the *Irish* Kings are, according to this Account we have of them by *Giraldus Cambrensis*.

Giraldus Cambrensis, Topograph. Hybern. Dist.
3 Cap. 25.

“ Est igitur in Boreali & ulteriori Ultoniæ
 “ parte, scilicet apud Kenilcunil, gens quæ-
 “ dam, quæ barbaro nimis & abominabili ritu
 “ sibi Regem creare solet: Collecto in unum
 “ universo terræ illius populo, in medio pro-
 “ ducitur Jumentum candidum; ad quod su-
 “ blimandus ille, non in Principem, sed in
 “ belluam; non in Regem, sed in exlegem,
 “ coram omnibus bestialiter accedens, non mi-
 “ nus



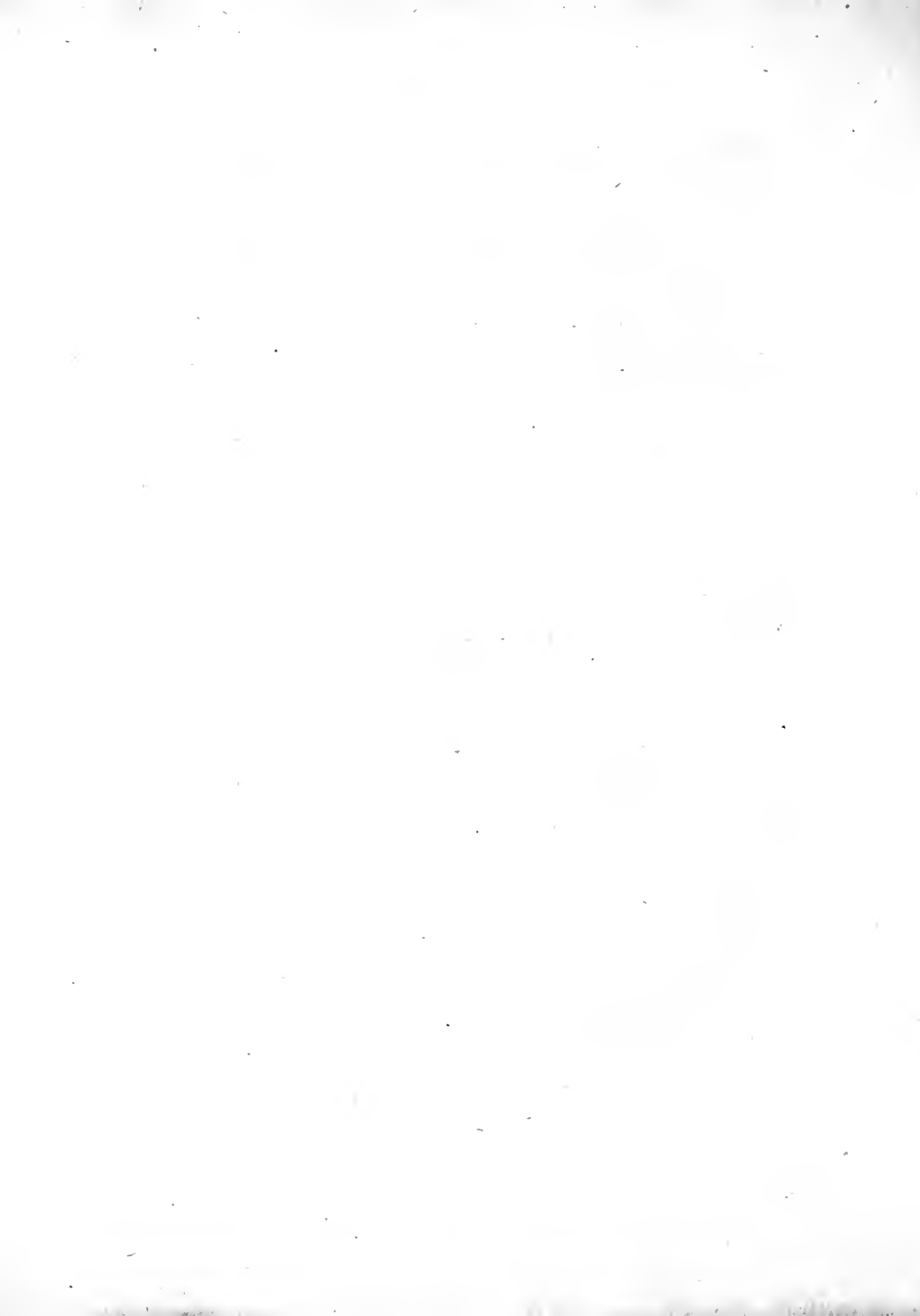
“ nus impudenter quam imprudenter, se quo-
 “ que bestiam profitetur. Et statim, Jumen-
 “ to interfecto, & frustratim in aqua decocto,
 “ in eadem aqua balneum ei paratur ; cui in-
 “ fidens, de carnibus illis sibi allatis, circum-
 “ stante populo suo & convalescente, comedit
 “ ipse. De jure quoque quo lavatur, non vase
 “ aliquo, non manu, sed ore tantum, circum-
 “ quaque haurit & bibit. Quibus ita rite
 “ non recte completis, Regnum illius & domi-
 “ nium est confirmatum.”

I forbear to translate this Passage of *Giraldus Cambrensis*, because it would pollute my Pen, and offend Christian Ears : However, for Confirmation of what is here affirmed, *Waræus*, in his Book *de Antiquitatibus Hiberniæ*, treating of *Irish Medals*, Page 154, mentions a Medal, which had *in aversa parte jumentum candidum*.

Thus I hope I have sufficiently confuted Doctor *Kennedy's* Scheme : Many will probably object, that I have not established one of my own. In Answer to which, I plainly declare

clare it as my Opinion, that our old Kings were of a *Gotbiff* Extract, and the Royal Family of the *STEWARTS* descended of the *Normans* and *Britons* : This I design to prove, in a Dissertation to be published by the First of *June*, which is to be soon followed by another, giving an Account of the first Settlement of Christianity in *Scotland*.

FINIS,



A P P E N D I X.

Numb. I. Page 10.

*Donatio Regalitatis Roberti Tertii, Regis, de Kyle,
& de omnibus Terris de Passeleto, in unam Bar-
oniam, 1396.*

ROBERTUS, Dei Gratia, Rex Scottorum,
omnibus probis hominibus totius terræ
suæ, Clericis & Laicis Salutem. *SCIATIS*
Nos, pro salute Animæ nostræ, & Animarum
Antecessorum & Successorum nostrorum, Re-
gum & Senescallorum Scotiæ, dedisse, conces-
sisse, & hac præsentī Charta nostra confirmas-
se, Deo & Beatæ Mariæ, & Beato Jacobo Aposto-
lo, & Sancto Merino Confessori; nec non
Abbati & Monachis de Passeleto, præsentibus
& futuris, omnes & singulas terras, redditus
& possessiones in Baronia nostra de Reinfrew,
infra Vicecomitatum de Lanark situatas; nec

D

non

non omnes terras suas, redditus & possessiones in Baronia nostra de Kyle Senescalli, infra Vicecomitatum nostrum de Aire jacentes; & quinque Marcatas terræ suæ de Molla & Huntlaw, in terra de Hastyngefychden, infra Vicecomitatum de Roxburgh; & terras suas de Orde, infra Vicecomitatum de Pebles, in unam integram & liberam Baroniam, & in puram & perpetuam Regaliam seu Regalitatem: tenendas & habendas dictis Religiosis, & eorum Successoribus in perpetuum, de nobis & Hæredibus nostris, libere, quiete, plenarie, integre & honorifice, bene & in pace; in moris, marefciis, pratis, pascuis & pasturis, viis, semitis, aquis, stagnis & vivariis, aucupationibus, venationibus, & piscationibus; cum molendinis, multuris, & eorum sequelis; cum curiis, & curiarum exitibus; cum tenandis, & servitiis libere tenentium; cum bondis, bondagiis, nativis, & eorum sequelis; cum fabrinis & brasinis; cum furca & fossa, sok & sak, thol & theame; infangand Thief, & outfangand Thief; & cum omnibus aliis libertatibus, commoditatibus, ayffamentis, & justis pertinentiis & emolumentis quibuscunque

que ad dictas terras, cum pertinentiis spectantibus, seu iuste spectare valentibus quomodolibet in futurum, tam non nominatis quam nominatis, tam sub terra quam supra terram: ita libere & quiete in omnibus & per omnia, sicut aliqua Baronia in Regno Scotiæ per quoscunque Predecessores nostros, Reges ejusdem, quibuscunque religiosis domibus, in liberam Regiam concessa, liberius tenetur & possidetur, seu teneri debet, vel etiam possideri. Quare omnibus & singulis Justiciariis, Camerariis, Vicecomitibus, præpositis, & eorum Ballivis, Coronatoribus, & cæteris ministris regiis, tenore præsentium firmiter prohibemus, ne prædictos Religiosos, vel eorum Successores, terras suas prædictas, aut eorum incolas quibuscunque futuris temporibus, contra præsentem concessionem, sic salubriter per me factam, vexent, molestant, impendant, perturbent, aut aliququaliter inquietent, sub pœna omnium quæ erga nostram Regiam Majestatem amitti poterunt, quoquo modo. Faciendo inde nobis & Hæredibus nostris dicti Religiosi, & eorum successores in perpetuum, orationum suffragia tantum, pro omni alio servitio sæculari.

In ejus rei testimonium, præsentī Chartæ nostræ, nostrum præcepimus apponi Sigillum; testibus, Venerabilibus in Christo Patribus, Waltero & Matthæo, S. Andreæ & Glasguensis Ecclesiarum Episcopis. Roberto Comite de Fife & de Menteith, Fratre nostro carissimo. Archebaldo Comite de Douglas, Domino Galwidæ. Magistro Duncano Petit, Archidiacono Glasguensi, Cancellario nostro. Jacobo de Douglas, Domino de Dalkeith: & Thoma de Erskyn, consanguineis nostris dilectis, Militibus. Apud Linlithgu, quinto die Aprilis. Anno Regni nostri, sexto.

Numb. II. Page 11.

*Charta Dovenaldi filii Reginaldi de uno denario capi-
piendo 3 Oſto vaccis ex qualibet domo in terra
sua.*

SCIANT Omnes, tam præsentēs quam futuri,
quod ego Dovenaldus filius Reginaldi, filii
Sumerled, Dominus de Inchgall, factus sum frater,
& uxor mea Soror, in Capitulo domus de
Passelet,

Passelet, & in toto ordine Cluniacensi, & ego verus frater, & bonus amicus prædictis Monachis, fratribus meis de Passelet, in perpetuum mansuris, cum hæredibus meis & hominibus meis, quibus fraternitatem prædictæ domus, & participationem orationum, & omnium beneficiorum totius ordinis Cluniacensis, a jam dictis Monachis adquisivi, concessi eis, me daturum sibi testimonio sigilli mei, octo Vaccas, pro salute mea, & uxoris meæ, & ex qualibet domo unde fumus exit, me daturum sibi singulis annis, unum denarium, vel quo libet anno, pro ipsis denariis octo vaccas; & quia ego & hæredes mei, & homines mei participes sumus, & in perpetuum erimus omnium bonorum quæ in domo de Passelet, et in toto ordine fiunt, vel in perpetuum fient, tam in orationibus, quam in cæteris divinæ servitutis obsequiis, dedi eis et concessi, & hoc præsentiscripto, Authoritate sigilli mei roborato, confirmavi firmam pacem meam, et omnium hæredum meorum, et hominum, cum manuteneamento bonæ fraternitatis, ubicunque ipsi, vel homines eorum fuerint, aut venerint, in terra vel in mari; supplicans amicis meis, et præcipiens

præcipiens omnibus hominibus meis, ut ubicunque invenerint prædictos Monachos fratres meos, aut eorum homines, ipsos manuteneant, et in suis auxilientur negotiis; scientes pro certo, quod, per Sanctum Columbam, si aliquis hæredum meorum eis malefecerit, maledictionem meam habebit, vel si quid mali forte ab hominibus meis, vel ab aliis de quibus eos vindicare potero, sibi vel suis factum fuerit, mortis pœna punientur. Et notandum, quod ubicunque ego vel hæredes mei, aut aliqui ex hominibus meis, mortui fuerimus in terra vel in mari, prædicti Monachi orabunt pro nobis in perpetuum ut salvi simus, & per totum ordinem Cluniacensem orationes pro nobis fieri facient. Hiis testibus, Amaleo filio Gilcolmi, Gilcolmo filio Gilmihel, Mauricio Capellano & multis aliis ex propriis hominibus meis.

Numb.

Numb. III. Page 20.

*Carta Walteri Filii Alani, de fundatione Monasterii
Passlaytenfis ex Autographo.*

SCIANT Præsentes & Futuri, quod ego
Walterus Filius Alani, Dapifer Regis Sco-
tiæ ; pro anima Regis David, & Regis Henri-
ci, & Comitis Henrici, & pro animabus om-
nium parentum meorum & benefactorum ;
& pro salute Corporis & Animæ Regis Mal-
colmi, nec non & mei ipsius ; ad honorem
Dei, ipsius operante gratia, constituam quan-
dam domum Religionis, infra terram meam
de Passelay, secundum ordinem Fratrum de
Wenloc, *viz.* secundum ordinem Fratrum Clu-
niacensium, communi consensu & assensu Pri-
oris & Conventus de Wenloc ; & ad domum
illam construendam, habeo de domo de Wen-
loc 13 Fratres, & Prior qui de illis 13 dictæ
domui regendæ præficietur, per me, & per
meum consilium eligitur ; & si contingat ip-
sum Priorem, vel per criminalem prævarica-
tionem a Prioratu suo deponi, per me, & per
meum

meum consilium deponetur ; & qui ei in Prioratu præfato succedit, per me & per meum consilium eligitur ; & hoc de Fratribus ipsius domus quam fundabo, si in ea inveniri poterit persona discreta & conveniens ad dignitatem talem suscipiendam : sin autem de Fratribus istius domus de Wenloc, quemcunque voluero, excepto Priore ipso, eligam ad regendam domum quam statuam. Et ita quod domus illa non erit respiciens de ulla re ad domum de Wenloc, nisi tantummodo de recognitione ordinis. Has quidem libertates ad opus domus illius quam statuam, impetrabit mihi Prior & Conventus de Wenloc, ab Abbate Monachorum Cluniacensium, & a Priore de Charitate, qui easdem libertates Religiosis de Paislay Cartis suis confirmabunt. Pro hiis autem libertatibus habendis, domui prædictæ de Wenloc dabo, in perpetuam elemosinam, unam plenariam maysuram in Burgo meo de Reinfrew, & unum rete piscatorium, ad Salmones capiendos per proprias aquas meas, & sex retia ad allecia capienda, & unum battellum. Libertates autem istæ servabuntur illibatæ inter me & Fratres de
Wen-

Wenloc, & alios Cluniacensis ordinis ; & post decessum meum, inter Hæredes meos & prædictos Fratres, præsentēs, & futuros. Testibus hiiis, Engilramo Cancellario Regis Scotiæ. Abbate de Rieval, nomine Aelred. Simone Cellerario de Wardun. Richardo Capellano Regis Scotiæ. Simone fratre Engilrami Cancellarii. Roberto de Costentin. Simone fratre Walteri filii Alani. Apud Fodrigeiam.

*Carta Domine Eschenæ, Uxoris Walteri, fundatoris
de terra de Molla. Ex Autographo.*

ESCHENA Uxor Walteri, filii Alani, dapiferi Regis Scotiæ ; omnibus sanctæ Matris Ecclesiæ filiis, tam presentibus quam futuris, Salutem. *SCIATIS* me dedisse & concessisse, & hac mea Charta confirmasse, Deo & Sanctæ Mariæ, & Ecclesiæ S. Jacobi, S. Merini, & S. Melburgæ de Passelet, & Priori ejusdem loci, & Monachis ibidem Deo fervientibus, secundum ordinem Cluniacensem ; pro salute Domini mei Willielmi Regis, & David fratris sui, & Domini mei Walteri ; &

E. pro

pro salute mea & haeredum nostrorum ; & pro anima Henrici Regis Angliae ; & pro anima Regis David, & Regis Malcolmi, & Comitibus Henrici, & anima Margaretæ filiæ meæ, quæ apud Passelet in Capitulo jacet sepulta ; & pro animabus omnium Parentum nostrorum & amicorum, in perpetuam & quietam elemosinam, unam carucatam terræ in Molla, per easdem divisas per quas eis mensurata fuit & perambulata ; & pasturam quingentis ovibus, & ayfiamenta alterius pecudis, quantum pertinet ad unam carucatam terræ in eadem villa : Cum omnibus aliis ayfiamentis, libere & quiete, ab omnibus consuetudinibus, exactionibus, & ab omni servitio temporali, sicut aliqua Abbatia in tota terra Regis Scotiæ, liberius, quietius & honorificentius tenet aliquam possessionem, in perpetuam elemosinam sibi datam. Et ut rata & firma in perpetuum maneat ista donatio, hac Carta mea confirmo, appositione Sigilli Domini mei Walteri, ista prædicta confirmata Monachis prænominatis concedo in æternum. Hiis testibus, Waltero filio Alani, Domino meo. Alano filio ejus. Osberto Capellano de Okcham. Luca Capellano.

lano. Helya Capellano. Waltero Clerico de Molla. Richardo Clerico. Jacobo Clerico. Johanne filio Horum ; qui cum Ædulpho præposito ejusdem villæ, & Gilberto, & aliis probis hominibus, eandem terram præcepto meo Monachis præfatis menfuratam perambulavit. Waltero de Costantin, & Nigello fratre ejus. Roberto de Mungumry. Rothelando de Mernefs. Willielmo de Lanark. Waltero filio Roberti. Alano Camerario. Alano de Leia. Richardo fratre ejus. Rodulpho præposito. Roberto Crok. Roberto filio Fulberti. Simone Flamench. Richardo nepote Prioris.

Confirmatio Humbaldi Prioris de Wenloc, de libertatibus Monasterii. Ex Autographo.

HUMBALDUS Wenlocensis Ecclesiæ Prior, & ejusdem loci Conventus ; universis sanctæ Matris Ecclesiæ filiis, Salutem. Sci-
ant præsentēs & futuri, Walterum filium Alani, Dapiferum Regis Scotiæ, domum apud Passlet, Deo cooperante, fundasse, secundum ordinem Cluniacensium, de fratribus viz. de

Wenloc ; unde inter nos ratum habetur, Chyrogaphum, secundum compositionem inter nos factam, quam & Hæredibus suis ratam & inconcussam confirmavimus ; donationem autem quam prædictus Walterus, pro libertatibus suis habendis, domui de Wenloc apud Renfrew concesserat, nobis excambuit apud Menewde, unde Cartam suam habemus.

Confirmatio Stephani Abbatis Cluniacensis, de eisdem. Ex Autographo.

STEPHANUS, Dei Grátia, humilis Cluniacensis Abbas, omnibus sanctæ Matris Ecclesiæ filiis & Christi fidelibus, perpetuam in Domino salutem. Universitati vestræ innotescimus, quod Petitionem carissimi filii nostri Humbaldi Prioris de Wenloc concedimus, & in perpetuam ratam esse decernimus ; nec non compositionem quæ facta est inter Priorem Ecclesiæ de Wenloc, & Walterum filium Alani, Dapiferum Regis Scotiæ, de libertate loci qui dicitur Passelet, & Conventus ibidem constituti ; ut quemadmodum Chyrogaphum

phum factum de compositione, & scripta ex utraque parte de confirmatione illius, data & accepta, testantur ; locus ille inviolatam & integram in perpetuum obtineat libertatem. Et ne cœca oblivione depereat quod de loci hujus libertate sancimus, apicibus nostris, & Sigilli nostri auctoritate, illud confirmamus, & præsentibus pariter & futuris, in perpetuum observandum firmiter præcipimus. Ipsum autem Walterum, loci illius fundatorem, & tanti beneficii largitorem, in fratrem suscipimus ; & omnium orationum totius ordinis Cluniaci participem constituimus. Et si absque habitu nostro vitam finierit, quod absit, fiat pro eo, quantum pro uno fratrum nostrorum, in tricennariis, & Missis, & Psalmis, & omnibus aliis beneficiis.

Confirmatio Savarici Prioris de Charitate, de eisdem. Ex Autographo.

IN nomine Patris, & Filii, & Spiritus Sancti. Amen. Quæ provide & rationabiliter fiunt, ad posterorum notitiam scripto committere, & usus & ratio exigit. Cunctis itaque, tam præsentibus quam futuris, notum facimus, quod Walterus Filius Alani, Dapifer Regis Scotiæ, pro prædecessorum suorum & animæ suæ remedio, locum qui dicitur Passelet, ad serviendum Deo construere volens, a Domino Humbaldo Priore, & Conventu de Wenloc, fratres petiit, qui ibidem degentes more Cluniaci Monachorum, regulariter viverent: Volens autem idem Walterus ut fratres, absque inquietatione aliqua & gravamine, ibi manerent, libertates quasdam & conventiones a præfato Priore & Conventu de Wenloc petiit: cujus Petitioni & devotioni, Prior & Conventus assensum præbentes, ei quæ petebat concesserunt. Unde & ego frater Savaricus, de Charitate, ex parte nostra, & totius Conventus de Charitate, quicquid Prior de Wenloc

loc & Conventus ipsi Waltero concesserunt, concedimus; & Cartam ab ipsis confirmatam tam ipsi quam hæredibus suis, in perpetuum confirmamus. Et ut hoc ratum habeatur, & inconcussum maneat in perpetuum, scripto hoc confirmamus, & Sigilli nostri impressione munimus.

*Confirmatio Domini Innocentii Papæ, de iisdem.
Ex Autographo.*

INNOCENTIUS Episcopus, servus servorum Dei, dilectis filiis, Priori & Conventui de Passelet, Cluniacensis ordinis, Salutem & Apostolicam Benedictionem. Justis petentium desideriis dignum est nos facilem præbere consensum, & vota quæ a rationis tramite non discordant, effectu prosequente complere: Ea propter, dilecti in Domino filii, vestris justis precibus inclinati, compositionem inter vos ex parte una, & dilectos filios, Priorem & Monachos de Wenloc, ex altera, super immunitate domus vestræ rationabiliter initam, sicut sine privitate provide facta est, & ab utraque parte
sponte

sponte recepta, & hæcenus observata, auctoritate apostolica confirmamus, & præsentis scripti patrocínio communimus. Nulli ergo omnino hominum liceat hanc paginam nostræ confirmationis infringere, vel ei ausu temerario contraire. Si quis autem hoc attemptare presumpserit, indignationem Omnipotentis Dei, & Beatorum Petri & Pauli Apostolorum ejus se noverit incursum. Datum Laterani 11 Idus Maii, Pontificatus nostri anno decimo.

THE preceding Charters I have adduced, for clearing and confirming what is advanced in the Body of this Essay. One of our Irish Author's Assertions in matter of Fact, which he lays much Stress upon, is That Fleannus, or Fleanchus, was Father to Walter, our first Stewart. To confute this, I found it necessary to publish the preceding Charters, granted by Walter himself and his Lady, who should have known his own Descent, and the Name of his Father, better than any other: As also, Charters granted by Foreigners, which mention his Father by the Name of Allan;
in

in which Charters, confirmed by the Pope, not the least Escape is allowed, because the least Error in Writing, especially of Names, would invalidate the Grant contain'd in the Charter : Consequently, this destroys entirely the Doctor's wild Assertion, and that of some other late Genealogists, who derive our Stewarts from Banco, whom they make a Collector of the publick Taxes, and one of the Assassins of King Duncan. His Son, if he had any other Existence than that which they have given him, was a lewd Fellow according to their own Accounts, and, before Marriage, debauched the Prince of Wales's Daughter. So that Walter the First of our Stewarts, from whom we can deduce the Descent of our Kings by indisputable Documents, in a direct Line, as well as the collateral Branches, would have been, as they relate the Matter, a Bastard. Which foolish and vile Attempt of theirs deserves an exemplary Punishment, that so others may be deterred from raising and spreading such false and abominable Aspersions.

FINIS.







